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Attn: Examiner, Scott M. Getzow
Art Unit: 3762

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DATE: January 20, 2005

FROM: Carol G. Mintz

Conley Rose, P.C.
JPMorgan Chase Tower
600 Travis Street, Suite 7100
Houston, Texas 77002-2912

TELEPHONE: (713) 238-8000

FAX: (713) 238-8008

CLIENT NO.: 2105-01902

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE) 9

COMMENTS:Re: U.S. Patent Application No. 09/303,313
Filing Date: April 30, 1999
Applicant(s): S. Wards Casscells III

The following documents are attached for filing:

Transmittal Form (PTO/SB/021) (1 p.)

Amendment and Response to Office Action dated October 20, 2004 (7 p.)

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being sent by facsimile transmission on the date shown below to the facsimile number above to the U.S. Patent and Trademark Office, in accordance with 37 CFR § 1.6(d).

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PTO/SB/21 (09-04)

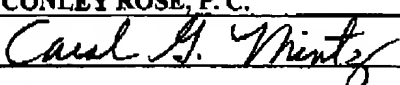
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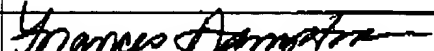
| | | | |
|--|--|------------------------|------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/303,313 |
| | | Filing Date | April 30, 1999 |
| | | First Named Inventor | S. Wards Casscells III |
| | | Art Unit | 3762 |
| | | Examiner Name | Scott M. Getzow |
| Total Number of Pages in This Submission | | Attorney Docket Number | 2105-01902 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): • Fax Transmittal Cover Sheet (1 p.) |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------|---|-----------------|
| Firm | CONLEY ROSE, P. C. | |
| Signature |  | |
| Printed name | Carol G. Mintz | |
| Date | January 20, 2005 | Reg. No. 38,561 |

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| Typed or Printed Name | Frances Hampton | | |
| Signature |  | Date | January 20, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/303,313
Applicant : S. Wards Casscells III
Filed : April 30, 1999
For : Heat Treatment of Inflamed Tissue

Confirmation No. 8168

TC/A.U. : 3762
Examiner : Scott M. Getzow

Customer No.: 23505
Atty. Dkt. No.: 2105-01902
Date: January 20, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND
RESPONSE TO OFFICE ACTION DATED OCTOBER 20, 2004**

Sir:

In response to the Office Action dated October 20, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.